Regarding avoidance of delay and bringing uniformity in the process of site inspection for tree felling permission.

Government of Maharashtra
Urban Development Department
Government Directives No.TPS-1815/CR-216/15/UD-13
Mantralaya, Mumbai - 32.
Date : 11/07/2017

Whereas, Section 8 (3) of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 (hereinafter referred to as the said Act) provides for permission of tree felling from the Tree Authority of the respective Local / Planning Authority for the area within their jurisdiction.

And whereas, under section 8 (3) (a) of the said Act, different time limits for inspecting the site and submission of report by the Tree Officer and also the publication of notice and notice period are mandated so as to enable the Tree Authority to take decision within a prescribed period.

And whereas, in view of to reduce the time limit for inspection, submission of report of the Tree Officer and in view of the Central Government Policy regarding Ease of doing business to facilitate the speed of the Development permissions, the **Amendments to the said Act** are carried out by **Maharashtra Act No.XIII of 2017** which is published in Government Gazette dated 16/01/2017 (hereinafter referred to as the said amendment).

And whereas, under DIPP, Ease of Doing Business Assessment, 2017, the Government of India has mandated at point no.107 **Online submission of tree felling inspection report within 48 hours to the department.**

Therefore, in view of the said Amendment made to the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 and in view of the DIPP, Ease of Doing Business Assessment, 2017 reforms, Government of Maharashtra hereby issues the following directives Under Section 154 of the Maharashtra Regional and Town Planning, Act, 1966 to all Planning Authorities / Special Planning Authorities / New Town Development Authorities in super session of the earlier directives issued vide TPS-1815/CR-216/15/UD-13, dated 31/08/2015.

<u>Directives</u>

1) As per the Section 8 (3) (a) of the said Act, Tree Officer shall personally inspect the tree, hold an inquiry and publish a notice in the local newspaper inviting objections if any from the public and then submit his report within a period of 12 days from the date of receipt of application.

2) The concerned officer / employee shall submit / upload the inspection report of felling trees **online** to the Tree Authority **within 48 hours** from the date of site visit.

3) **Risk Based Classification for fast tract approval -** Following are the parameters identified for **Risk Bases Classification** in case of tree felling permissions:-

a) As per the amended provision that no personal inspection of the trees by the Tree Officer shall be required if the applicant submits site images and details of the trees to be felled by using information technology enable system.

b) As per the amended new Provision 8(6) if the number of trees proposed to be felled is **25 or less**, in such cases all the functions and powers of the **Tree Authority** shall be exercised by the respective **Municipal Commissioner / Chief Officer / Chief Executive Officer** of the Authority

This Government Directives of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201707111534447225. This Directives has been signed digitally.

By order and in the name of the Governor of Maharashtra.

Digitally signed by Sanjay Balkrishna Saoji
Date: 2017.07.11 15:34:16 +05'30'

(Sanjay Saoji)
Deputy Secretary,
Government of Maharashtra

Copy for information:-

1) Secretary to Hon'ble Chief Minister, Mantralaya, Mumbai.
2) Personal Secretary to Hon'ble State Minister (UD), Mantralaya, Mumbai.
3) Principal Secretary (UD-1), Mantralaya, Mumbai.
4) Director, Town Planning, Maharashtra State, Pune.
   To publish these Directives on the web site of Directorate, Town Planning www.dtp.maharashtra.gov.in.
5) Director and Joint Secretary (Town Planning), Urban Development Department, Mantralaya, Mumbai.

Copy for information and necessary action:-

1) Commissioners, All Municipal Corporations.
2) Chief Planner, Maharashtra Industrial Development Corporation, Mumbai.
3) Chief Executive Officers, All Planning Authorities / Special Planning Authorities.
4) Chief Officers, All Municipal Councils / Nagar Panchayats.
5) Joint Director, Town Planning, Implementation Wing / Valuation / Pune / Konkan / Nashik / Nagpur / Aurangabad / Amaravati Division.
6) Assistant Director, Town Planning / Town Planner, All Branch Offices, Town Planning Department.
7) Desk Officer (UD-29), Urban Development Department, Mantralaya, Mumbai - to publish these Directives on Government website.
8) Desk Officer, Information and Technology Department, Mantralaya, Mumbai.
9) Under Secretary, UD-11 / UD-30.
10) Desk Officer, UD-9 / UD-12.
11) Select File (UD-13)

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